

	For the three months ending Aug. 31, 1920.	For the year ending Aug. 31, 1921.
Salary of one expert clerk, who shall be a competent stenographer, typewriter and accountant, experienced in compiling and computing land surveys and in map drafting, and in examining maps, profiles, documents and accounts; having had not less than five years' actual experience in such work; at a salary not to exceed two hundred dollars (\$200.00) per month.....	600.00	2,400.00

Sec. 2. That the provision in said Chapter 87, General Laws of the Thirty-sixth Legislature, Second Called Session, 1919, for salary of one technical assistant under the State Reclamation Engineer, experienced in topographic mapping with the plane table instrument, map drafting, etc., at a salary not to exceed one hundred and thirty-seven and 50-100 dollars (\$137.50) per month, or sixteen hundred and fifty dollars (\$1650.00) per annum, for the two years ending August 31, 1921, shall be and the same is hereby expressly repealed.

Sec. 3. The fact that experience shows that it is impossible to secure and retain the services of persons qualified to do the work specified for the foregoing positions at the salaries provided in said Chapter 87, General Laws of the Thirty-sixth Legislature, Second Called Session, 1919; the fact that there are now several vacancies in the forces of the State Reclamation Department and apparently there are no qualified persons willing to accept these positions at the present salaries, and the authorized work of the State Reclamation Department is hampered and delayed for that reason, and this Act does not increase the total amount of the appropriations already made for the State Reclamation Department but merely rearranges the salaries of the assistants under the State Reclamation Engineer; and the further fact of the near approach of the date of adjournment of this Special Session;—these facts create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and it is hereby suspended, and that this Act shall take effect from and after its passage, and it is so enacted.

By Page.

S. B. No. 49.

A BILL,

To be entitled

An Act amending Article 3866 (2462)-

(2398) Revised Statutes of the State of Texas, 1895, relating to compensation for ex officio services of the Sheriffs of the State and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That Article 3866, (2462)-(2398) Revised Statutes of the State of Texas, 1895, be and the same is hereby amended and the same shall hereafter be as follows:

Article 3866 (2462)-(2398) Compensation for ex officio services.—For summoning jurors in district and county courts serving all election, notices to overseers of roads and doing all other public business not otherwise provided for, the Sheriffs may receive annually not exceeding one thousand dollars, to be fixed by the commissioners court at the same time other ex officio salaries are fixed, to be paid out of general funds of the court on the order of the commissioners court.

The fact that the Sheriffs of Texas are not receiving sufficient compensation creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same shall take effect and be in force from and after its passage and it is so enacted.

## TWELFTH DAY.

Senate Chamber,  
Austin, Texas.

Thursday, June 3, 1920.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Prayer by the Chaplain, Rev. S. H. Morgan.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

#### Message from the Governor.

Mr. Raymond Brooks, a messenger from the Governor, presented himself at the bar of the Senate with the following executive message:

Governor's Office,  
Austin, Texas, June 2, 1920.  
To the Thirty-sixth Legislature in  
Third Called Session.

The Treasury of Texas is in a condition so fortunate that it is possible for the State to give needed relief to the public schools of Texas without imposing an increased burden of taxes upon the people. Under the same condition, it is likewise possible to provide the State's higher institutions of education with instructors and facilities for operation during the next scholastic year.

In spite of the tremendous increase in the cost of living in the last three years, the cost of State government to the taxpayer in Texas has not been increased. With the exception of the fifteen cent tax authorized by direct vote of the people to buy free textbooks, the total tax rate fixed by the Automatic Tax Board in 1919 was the same as that fixed in 1917, and the rate in 1920, corresponding with the rate fixed in 1918, will bring into the treasury revenues that are adequate for the purpose of the recommendation, I herewith submit.

In the absence of provision that will meet the demands of the most

critical situation in the school affairs of Texas, the usefulness of all the educational institutions from the lowest to the highest will without exception be seriously impaired, while many of the public schools in Texas will actually face the danger of disintegration.

Recent reports from about three hundred towns in Texas show the following facts concerning the present school term:

Forty per cent kept their schools open by private subscriptions.

Seventy-one per cent of these also raised property valuations.

Thirty-one per cent, not making private subscriptions, raised property valuations.

Sixteen per cent cut short their school term, while a few went in debt illegally.

I accompany this message with reports from towns showing funds raised by private subscription, also statements from several important localities in Texas, with respect to the actual shortage in teachers, and a greater prospective shortage, because of the lack of a living wage to pay the teachers.

More deplorable still was the condition with respect to the rural schools whose terms were shortened and whose doors were closed in numerous instances, while the estimate has been made that the positions of 2,000 teachers were vacated because of low salaries and 50,000 children deprived of the benefits of the school room. It goes without saying that if not properly dealt with a situation which was lamentable during the present term bids fair to become alarming during the next term.

In the face of such a crisis, and in the face of a treasury whose condition warrants it without calling upon the general citizenship of the State for increased revenues, the duty in my judgment devolves upon you as the representatives of all the people, to make an appropriation of five million dollars for the public schools of the State, and of approximately one million dollars for the institutions of higher education, to be paid out of the general funds of the State during the next fiscal year, and the duty will devolve upon me as the representative of all the people to approve such appropriation.

Careful consideration and investigation impresses me with the facts:

that such an appropriation will serve to keep most all of the public schools open, and that such an appropriation will retain in the service the teachers that are necessary to conduct the public schools and to continue the institutions of higher education.

I recommend that five million dollars be made available for the public schools, to be disbursed in the same manner as the available school fund, and that appropriations for the higher educational institutions be made as follows:

University of Texas.....	\$475,000.00
Agricultural and Mechanical College.....	137,500.00
Agricultural Experiment Stations.....	30,530.00
John Tarlton College...	28,250.00
Prairie View Normal and Industrial Institute...	9,135.00
Grubbs Vocational College	21,200.00
College of Industrial Arts	41,894.00
State Normal Colleges:	
(a) Sam Houston.....	33,280.00
(b) North Texas.....	61,560.00
(c) Southwest Texas.....	34,080.00
(d) West Texas.....	48,300.00
(e) East Texas.....	37,330.00
(f) Sul Ross.....	800.00
Total.....	\$958,859.00

The program I urge upon you does not include the making of appropriations for buildings or improvements of a permanent nature, which in my judgment may be attended to without material loss of efficiency, by the Thirty-seventh Legislature; however, to insure teachers for the next scholastic term, and to maintain the school system of Texas, and to provide education for all of the children of the people of Texas, it is necessary to meet the responsibility of the hour. The amount I have mentioned, therefore, should be placed at the disposal of the schools of Texas.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

State Department of Education.  
Austin, Texas, May 31, 1920.  
His Excellency, W. P. Hobby, Capitol.  
At your request, I am furnishing the following set of facts. We shall be seriously handicapped in our schools next year unless we get some aid from the State. We shall levy 75 cents local

tax, based on an increased valuation in the city, but this will not be sufficient.

Three-fifths of our men teachers have already signified that they will not accept a place with us, and possibly half of the remaining will not stay under present salary prospects.

Already women teachers in the county are quitting the profession and going into factories in our city, and into the stores. The girls in the overall factory are making better salaries than our teachers. The men in the Frisco shops are making more than our High School men. The girls from our high school who have finished in the commercial courses are going out and getting larger salaries than our high school teachers. A number of our teachers, both in high school and in the grades, are taking a course in shorthand and typewriting, with the purpose of entering that business. A number of them have already quit.

The appropriation of the five million dollars will supplement our funds sufficiently that we shall be able to hold our organizations together, and maintain the standard of our schools. If we do not get this appropriation, I am very apprehensive that the framework of our teaching staff will be so permanently injured by resignations that we shall be seriously handicapped for several years.

Yours very sincerely,  
(Signed) J. C. PYLE,  
Superintendent Sherman City Schools.

State Department of Education.  
Free Text Book Division.  
Austin, Texas.

His Excellency, W. P. Hobby, Capitol.  
At your request, I am furnishing you a brief statement of the facts surrounding the teacher problem of Cleburne.

In the twenty-five years of service as a teacher in Texas, I have never seen so difficult an economic problem. Already more than half of the experienced teachers of the town have left us, and there is strong probability of our losing still others. This is true in spite of the fact that with a wonderful unanimity, the citizenship has voted some years ago a seventy-five cent maintenance tax, and in mass meetings in the immediate past have petitioned the mayor and city council to increase all property renditions to one hundred cents on the dol-

lar, present cash valuation, which in many instances will be double at least the cost of erection where buildings are involved.

In spite of these facts, and in spite of the fact that the Board of Trustees has apportioned every available dollar from all sources mentioned, the loss to the teaching profession mentioned above in our locality has occurred. I might say specifically that the number of children in Cleburne to be taken care of is so large that all funds available provide a maximum salary for grade teachers of only \$990, and a minimum of \$594, with the prepondering number in the lower salary schedule, for the reason that the experienced teachers in other vocations are worth so much more than our maximum that they are unable to continue to make the sacrifice.

Concretely, we had thirteen girls graduate a year ago from the high school, who had taken stenography and typewriting. At the end of the summer, three months later, there were only two high school women whose annual salary exceeded the average for this group of girls. Unless there is material relief from outside sources, all worth-while teachers who are not handicapped by home conditions will be found elsewhere the coming fall.

As a representative of the profession, and particularly of that section of the State in which Johnson County lies, I respectfully urge that you do all that you can to have the school funds for the benefit of all children supplemented by direct appropriation.

Respectfully,

(Signed) EMMETT BROWN.

May, 31st, 1920.

Hon. W. P. Hobby, Governor of Texas, Capitol.

Dear Sir: In my judgment, the appropriation of \$5,000,000 for additional support of the schools of Texas for the coming year would not only be an exceedingly valuable measure but would meet with very wide-spread approval from the people of our State.

I have talked to men in every true walk of life, and so far as I can find, practically all would approve of measures leading to the advancement of schools.

Among these are representatives of three daily papers, labor council,

the Chamber of Commerce, the Young Men's Business League, and practically all our other civic and industrial organizations.

The Houston schools already pay better salaries than do most schools in the State. However, we have practically no men applying for positions in our schools. Our higher salary schedule is attracting applications from practically all the best of the county teachers.

I know of one stenographer who has been at work two years and is making more than any high school teacher in our corp.

Negro porters and barbers are making more than the average salaries of our teachers.

Cities such as Houston need help very greatly, but after all they could as a fashion get along. The place where relief is most needed is in the country districts. Unless some relief is granted, I do not see how it could be expected that more than half the schools of Harris County would open during the coming year. It is of course nearly a truism to state that the country schools are the backbone of the educational system of our State.

I sincerely trust you will do everything in your power to secure an appropriation of not less than \$5,000,000 for the aid of our common school system. To do so, would, in my judgment, meet very wide-spread general approval of citizens of our State.

Yours very truly,

(Signed) P. W. HORN.

May 31, 1920.

His Excellency, W. P. Hobby, Capitol.

Dear Sir: To illustrate the hopelessness of the teacher's condition, I make this single illustration:

Common laborers in Fort Worth get from \$4.00 to \$6.00 for an eight-hour day. Our most poorly paid teachers get \$72.00 a month for a month of 22 to 23 days; they have to work at least ten hours a day to do their work well. They get \$3.27 a day or 33 cents an hour. The most poorly paid laborer gets 50c an hour. The teacher has to work one and one-half hours in exchange for one hour's work of the laborer.

Yours truly,

(Signed) R. L. PASCHAL.

May 31, 1920.

Hon. W. P. Hobby, Governor of Texas, Capitol.

Dear Governor: As an illustra-

tion of the difficulty of maintaining properly qualified teachers in the schools, I beg to submit to you the following illustration:

In the city of Fort Worth lived two sisters; one a normal school graduate, who, under the present salary schedule in the city of Fort Worth, can be paid but \$77.00 per month. The other a girl fresh from high school who receives a salary of \$150.00 a month.

Illustrations of this kind can be multiplied indefinitely and the result is that we are not only unable to hold the teachers in the schools, but the younger people coming on are making no preparation whatever to enter the profession.

For two or three years in the city of Fort Worth, we have been unable to maintain the schools with the revenues that have been provided and are running behind this year \$70,000, notwithstanding the fact that the people of the city very generously voted on June 17 of last year to raise the school tax from 50c to 71c on the \$100 valuation of property. Our building projects are at a standstill; our equipment, already inadequate is deteriorating and our buildings and grounds are being neglected. In the rural districts of the State the teachers are refusing to sign contracts and the prospects for next year indicate that the 2,000 schools that were without teachers this year will be below the number of vacant schools for next year unless some immediate relief becomes available. My information is from contact with people that they are unanimously in favor of strong measures of relief and I sincerely hope that you may see your way clear to encourage the present called session of the Legislature to provide the \$5,000,000 emergency appropriation which is now asked for.

Sincerely yours,

(Signed) M. H. MOORE,

Superintendent of Fort Worth Public Schools.

June 2, 1920.

His Excellency, Gov. W. P. Hobby,  
Executive Office, City.

My dear Gov. Hobby: In response to your request for information as to public school funds, I am respectfully submitting the following:

A statement from the Comptroller's office today gives the following statement as to the sources of the fund and the total.

Receipts credited to Available School Fund from Sept. 1st, 1919, to May 1st, 1920, and sources from which received:

By Balance Sept. 1st, 1919 .....	\$ 854,271.97
From tax collectors (ad valorem taxes, 2-3 poll taxes and 1-4 all occupation taxes) .....	10,680,305.96
Interest land sales...	1,257,545.34
Interest State Depositories .....	64,576.07
Interest city, county and district bonds.	504,061.46
Interest on State bonds .....	46,490.00
Interest on railroad bonds .....	7,295.24
1-4 gross receipts...	709,013.23
Total from all sources	\$14,123,559.27

The \$10,680,305.96 derived from taxes, includes the 15 cent ad valorem tax for text books. The proceeds of this portion of the tax, up to May 1, were \$3,279,498.48. Deducting this from the total of \$14,123,559.27, we have the amount available this year for per capita apportionment to the schools.

\$14,123,559.27  
3,279,498.48

\$10,844,060.79

There has been apportioned to the public schools, for 1,233,792 scholastics a per capita of \$8.50, amounting to \$10,487,232.

In reply to the question as to what percentage of increase to teachers' salaries, \$1,000,000 will give, exact figures for the present year are not available. An approximate estimate, which I believe to be a liberal one, is that \$1,000,000 would provide for an increase of between three and three and one-half per cent. Figures as to proceeds of local taxes for the present session will not be available until October. The amount will be greatly in excess of that of last session, as many districts have voted additional taxes, and others have raised property valuations. The total from local taxation last year was \$12,192,879.89. This office has no figures as to proceeds of county permanent funds. Report blanks issued before my administration do not call for such a report. I have caused these blanks to be revised,

and reports for the present session do require this information, but these reports will not be due until October.

I am enclosing with this a copy of a report as to the Text Book Fund. This was sent to each member of the Legislature several days ago.

As to the investment of the State permanent school fund, the Comptroller's annual report shows the following balances, August 31, 1919:

Railroad bonds.....	\$ 1,703,317.00
State bonds.....	2,772,000.00
City, County and District bonds.....	18,616,811.26

Total invested in bonds .....	\$23,092,128.26
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The report of the Land Commissioner about two years ago shows the estimated value of school lands and land notes to be about \$49,000,000, making a grand total of the permanent school funds of \$72,092,128.26.

It is quite evident that this fund does not produce an income of 5%. Calculated on figures given above, it produces an income of 2.6%.

As to the \$2,000,000 appropriated for rural aid, this is not disbursed on a per capita basis, but is appropriated to schools of 500 scholastics or less on the conditions prescribed in the Rural Aid Law.

The following figures will show the purpose for which this has been used:

Total amount for salaries of public school teachers....	\$ 1,801,651.12
Total amount for libraries of rural schools .....	10,570.00
Total amount for transportation .....	8,015.00
Amount granted, to be approved by State Board at meeting, June 10.....	5,154.00
Administration expenses to date.....	25,577.54
Balance of expense account on hand.....	14,422.46
Balance unappropriated to schools at this time.....	134,609.88
	<hr/>
	\$2,000,000.00

Number of schools which have received State aid, 4,612.

Aid will be granted to other schools as they meet the conditions.

A part of the appropriation will lapse to the State because some of the schools will not meet the conditions.

I am now preparing a full statement as to all funds and expenses of my department, which will be sent to the Committee on Finance. I am glad to furnish to the Legislature and to the public, any information which it desires in regard to funds, expenditures, or any part of our work. Our records are public records.

Respectfully yours,  
(S) ANNIE WEBB BLANTON,  
State Superintendent.

#### School Districts Which Have Raised School Funds by Private Subscription.

Town	County	
Fostoria,	Montgomery...	\$ 2,250.00
Carthage,	Panola.....	3,400.00
Roby,	Fisher.....	1,300.00
Parker,	Johnson.....	200.00
Mt. Vernon,	Franklin....	1,000.00
Kyle,	Hays.....	2,000.00
Wylie,	Collin.....	1,400.00
Canado,	Jefferson.....	450.00
Meridian,	Meridian.....	1,500.00
Pleasanton,	Atascosa....	485.00
Avery,	Red River.....	300.00
Cunningham,	Lamar....	133.00
Megargel,	Archer.....	1,335.00
Wellington,	Collingsworth	5,400.00
Tioga,	Grayson.....	600.00
Pecos,	Pecos.....	1,000.00
Knox City,	Knox.....	4,000.00
Stamford,	Jones.....	2,250.00
Smithfield,	Tarrant.....	175.00
Quannah,	Hardeman....	1,200.00
Ringgold,	Montague....	200.00
McDade,	Bastrop.....	200.00
Reagan,	Falls.....	500.00
Matagorda,	Matagorda...	415.00
Palestine,	Anderson....	17,500.00
Comanche,	Comanche....	5,000.00
May,	Brown.....	320.00
Devine,	Medina.....	900.00
Merkel,	Taylor.....	2,800.00
Silsbee,	Hardin.....	250.00
Valley View,	Cooke.....	950.00
Rotan,	Fisher.....	500.00
Brashear,	Hopkins.....	204.00
New Castle,	Young.....	1,579.00
Port Lavaca,	Calhoun....	1,000.00
La Grange,	Fayette.....	2,000.00
Eastland,	Eastland.....	10,000.00
Rising Star,	Eastland....	2,100.00
Angleton,	Brazoria... ..	200.00
Garrison,	Nacogdoches...	1,500.00

Town	County		Town	County	
Grand Saline, Van Zandt.		1,700.00	Jacksboro, Jack.....		120.00
Graham, Young.....		1,800.00	Bartlett, Bell.....		400.00
Boerne, Kendall.....		625.00	Linden, Cass.....		65.00
Bridgeport, Wise.....		500.00	Gustine, Comanche.....		350.00
Whitney, Hill.....		3,000.00	Clarendon, Donley.....		400.00
Livingston, Polk.....		2,000.00	Buna, Jasper.....		175.00
Rosenberg, Fort Bend....		1,000.00	Bremond, Robertson.....		150.00
Crowell, Foard.....		2,000.00	Blossom, Lamar.....		292.00
Velasco, Brazoria.....		210.00	Blanco, Blanco.....		200.00
Avinger, Cass.....		50.00	Alvarado, Johnson.....		750.00
Heath, Rockwall.....		175.00	Crockett, Crockett.....		1,200.00
Haskell, Haskell.....		1,000.00	Colorado, Mitchell.....		600.00
De Leon, Comanche.....		4,000.00	Cooledge, Limestone.....		2,000.00
Como, Hopkins.....		400.00	Burleson, Johnson.....		640.00
Howe, Grayson.....		1,000.00	El Campo, Wharton.....		1,209.50
Itasca, Hill.....		600.00	Hearne, Robertson.....		1,200.00
Chireno, Nacogdoches....		200.00	Kerens, Navarro.....		1,800.00
East Bernard, Wharton..		135.00	Lillian, Johnson.....		4,000.00
Montague, Montague.....		625.00	Lone Oak, Hunt.....		1,200.00
Bardwell, Ellis.....		1,200.00	Liberty Hill, Williamson.		1,000.00
Leesburg, Camp.....		50.00	Washington Hght, Tarrant		300.00
Milford, Ellis.....		300.00	Eustace, Henderson.....		175.00
Forney, Kaufman.....		1,200.00			
Leonard, Fannin.....		600.00			
Aransas Pass, San Patrico		3,000.00			
Lampasas, Lampasas....		1,500.00			
Cisco, Eastland.....		12,000.00			
Dawson, Navarro.....		550.00			
Goose Creek, Harris.....		5,000.00			
Conroe, Montgomery.....		6,000.00			
Paducah, Cottle.....		2,000.00			
Cleveland, Liberty.....		790.00			
Port Arthur, Jefferson...		20,000.00			
Kirkland, Childress.....		200.00			
New Waverly, Walker...		300.00			
Kosse, Limestone.....		837.00			
Byers, Clay.....		921.00			
Gunter, Grayson.....		240.00			
Sulphur Springs, Hopkins		750.00			
Beckville, Panola.....		800.00			
Quitman, Wood.....		250.00			
Poteet, Atascosa.....		250.00			
Menard, Menard.....		1,200.00			
Clyde, Callahan.....		150.00			
Ballinger, Runnels.....		1,348.50			
Lodge, Hall.....		133.00			
Lufkin, Angelina.....		5,500.00			
Nocona, Montague.....		400.00			
Munday, Knox.....		2,000.00			
Salado, Bell.....		1,000.00			
Sanger, Denton.....		1,200.00			
Rosecoe, Nolan.....		1,235.00			
Remlig, Jasper.....		1,500.00			
Tolar, Hood.....		360.00			
Stockdale, Wilson.....		463.00			
Stanton, Martin.....		750.00			
Anderson, Grimes.....		700.00			
Alto, Cherokee.....		6,000.00			
Winters, Runnels.....		700.00			
Albany, Shackelford.....		1,000.00			
Troup, Smith.....		500.00			
Slidell, Wise.....		650.00			
Sweetwater, Nolan.....		5,000.00			

#### Petitions and Memorials.

See Appendix.

#### Committee Reports.

See Appendix.

#### Messages from the Governor.

Mr. Raymond Brooks, a messenger from the Governor, presented himself at the bar of the Senate with the following executive messages:

#### Governor's Office,

Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Walker of Newton, Faubion and Thomason of Nacogdoches, I submit for your consideration, the following subject, to-wit:

"An Act to repeal Section 2, Chapter 96, General Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 10 of the Acts of the Regular Session, Thirty-fourth Legislature, relating to the taking of fish, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.  
To the Thirty-sixth Legislature in  
Third Called Session.

Gentlemen: At the request of  
Senator Dean, I submit for your consid-  
eration the following subject, to-  
wit:

"An Act creating a more efficient  
road system for Walker County,  
Texas, etc., and declaring an emer-  
gency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.  
To the Thirty-sixth Legislature in  
Third Called Session.

At the request of Representative  
Blackburn, I submit for your consid-  
eration, the following subject, to-wit:

"An Act to amend Chapter 98 of  
the local and special laws passed by  
the Thirty-sixth Legislature in its  
Regular Session, approved March 24,  
1919, entitled 'An Act creating the  
Leakey Independent School District,  
in Real County, Texas, providing a  
board of trustees therefor, vesting it  
with all rights, powers and duties of  
districts incorporated for school pur-  
poses only under the General Laws,  
and declaring an emergency.'"

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.  
To the Thirty-sixth Legislature in  
Third Called Session.

At the request of Senator Hall and  
Representatives Loggins, Brady and  
Beason, I beg to submit for your  
consideration, the following subject,  
to-wit:

"An Act to aid the city of Free-  
port, Texas, in raising, strengthening  
and enlarging existing levees now  
partially protecting the said city from  
tropical storms and calamitous over-  
flows, and in constructing and main-  
taining additional levees, break-  
waters, bulk heads, and other works  
incidental thereto, both within and  
without the corporate limits of said  
city of Freeport by donating and  
granting to said city of Freeport for  
a period of twenty years commencing  
with the fiscal year beginning Sep-  
tember 1, 1920, the State ad valorem

taxes collected upon property and  
from persons, firms, or corporations  
within the defined limits of Brazoria  
County Road District No. 23 of Bra-  
zoria County, Texas, the boundaries  
of which include the city of Freeport,  
three-fourths of all moneys collected  
from State occupation taxes received  
from persons, firms, companies or as-  
sociations of persons doing business  
within the limits of said road district  
and all State poll taxes collected from  
persons within the limits of said  
road district, except that belonging  
to the public school fund; etc., and  
declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.  
To the Thirty-sixth Legislature in  
Third Called Session.

Gentlemen: At the request of Sen-  
ator Witt, I submit for your consid-  
eration the following subject, to-wit:

"An Act to amend Section 1 of Sen-  
ate Bill No. 153, Chapter 66, of the  
Special Laws of Texas, passed at  
the Second Called Session of the  
Thirty-sixth Legislature of the  
State of Texas, and approved July  
22, 1919, entitled 'An Act creating  
the Moody Independent School Dis-  
trict in McLennan County, Texas; de-  
fining its boundaries, including the  
present Moody Independent School  
District,' etc., and declaring an emer-  
gency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.  
To the Thirty-sixth Legislature in  
Third Called Session.

At the request of Representative  
Wilson, I beg to submit for your  
consideration, the following subject,  
to-wit:

"An Act to amend Sections 1 and  
4, Chapter 88, Special Laws passed  
at the Second Called Session of the  
Thirty-sixth Legislature, approved  
July 23, 1919, creating and defining  
the boundaries of the Graford Inde-  
pendent School District of Palo Pinto  
County, Texas, and declaring an  
emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.



**Bills and Resolutions.**

The following bills were read and referred:

By Dean:

S. B. No. 62, A bill to be entitled, "An Act to create a more efficient road system for Walker County, by amending Chapter 134 of the Special Laws of the Thirty-third Legislature, as amended by Chapter Six of the Special Laws of the First Called Session of the Thirty-fourth Legislature; by amending Section 7 of said Chapter 134 by striking out from said Section 7 the provision requiring that the bonds therein referred to shall not be sold for less than par and accrued interest; by amending Section 19 of said Chapter 134 so as to leave it within the discretion of the Road Board as to the employment of a skilled highway engineer; by amending Section 22 of said Chapter 134 so as to leave it within the discretion of the Board as to the making up of complete maps, profiles and working plans, and the filing thereof; by amending Section 48 of said Chapter 6 of the Laws of the First Called Session of the Thirty-fourth Legislature, so as to leave it within the discretion of the Commissioners' Court of Walker County as to the appointment of a highway engineer in that portion of said county not included in any independent district; by amending Section 51 of said Chapter 6 by providing that all work done on the public roads in said county shall be done and performed under the direction and supervision of the highway engineer where one is appointed; by repealing Section 11 of said Chapter 134 of the Special Laws of the Thirty-third Legislature, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Faust, by request:

S. B. No. 63, A bill to be entitled, "An Act to exempt Electric Light Companies and Water Works Companies from payment of occupation taxes in towns and cities of less than 1200 inhabitants."

"An Act to amend Article No. 5049, Chapter 1, Title 104, of the Revised Civil Statutes of 1895 of the State of Texas, of Article 7355, Sections 26 and 27, Chapter 1, Title 126 of the Revised Civil Statutes of 1911,

of the State of Texas, and to provide that an occupation tax shall not be levied upon Water and Light Plants in cities and towns of less than six hundred inhabitants."

Read first time and referred to Committee on Civil Jurisprudence.

**Senate Bill No. 27.**

The Chair laid before the Senate on the calendar

S. B. No. 27, A bill to be entitled, "An Act to amend Chapter 74 of pages 139 and 140 of the General Laws of the Regular Session of the Thirty-fifth Legislature of Texas, as amended by Chapter 154 on pages 284 and 285 of the General Laws of the Regular Session of the Thirty-sixth Legislature of Texas, so as to prohibit the sale or offering for sale of road vehicles of certain carrying capacity with tires of less than the herein prescribed width within the State of Texas, fixing penalties for the violation thereof; and declaring an emergency."

The bill was read the second time and on the motion of Senator Dayton laid on the table subject to call by unanimous consent.

**Senate Bill No. 29.**

The Chair laid before the Senate on the calendar

S. B. No. 29, A bill to be entitled, "An Act to provide for a general educational survey of the State of Texas, to create a committee, prescribe their duties, make appropriations to carry out the provisions of this act, and declare an emergency."

The bill was read the second time.

**Bill Introduced.**

Senator Strickland received unanimous consent to send up the following bill:

By Senators Strickland and Dean:

S. B. No. 64, A bill to be entitled, "An Act authorizing the Board of Prison Commissioners of the State of Texas to use its funds, not exceeding Fifty Thousand Dollars, (\$50,000.00) for the purpose of maintaining and operating the Texas State Railroad; providing for working a limited number of convicts thereon within a limited time; providing for the sale

of said railroad by the Board of Prison Commissioners of the State upon certain terms and conditions; declaring this act to be cumulative, repealing all laws and parts or laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Finance.

#### Messages from the Governor.

Mr. Raymond Brooks, a messenger from the Governor presented himself at the bar of the Senate with the following executive messages:

Governor's Office,

Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Brown, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 2, Title 18, of the Revised Civil Statutes of the State of Texas, as amended by Senate Bill No. 370, of Chapter 203, on page 461, of the Acts of the Thirty-fifth Legislature, by adding thereto the Article 637g, providing that where a political subdivision or defined road district of a county has been established, or may hereafter be established, and issued bonds, that such district is empowered by and under the direction of the Commissioners' Court to expend its funds for the purpose of constructing, maintaining or repairing a road beyond the limits of the boundaries of such district to extend not exceeding five miles in order to connect with a public road leading to the county seat of the county wherein such district is located, provided, however, that such funds may be expended for the extension of such road beyond the limits of such district shall be expended by and under the direction of the Commissioners' Court of the county in accordance with the provisions of this Chapter."

Respectfully, submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Senator Witt, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 1129, Chapter 2, Title 25, of the Revised Civil Statutes of the States of Texas, adopted at the Regular Session of the Thirty-second Legislature of 1911, providing for the exemption of Cotton Mills from the provisions of Articles 1125 to 1128, inclusive, of the Revised Civil Statutes, and providing an emergency."

Respectfully, submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Bonham, I submit for your consideration the following subject, to-wit:

"An Act creating Bonnie View Independent school District in Refugio County, Texas, providing a board of trustees therefor, providing that said Independent School District and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes upon independent school districts in this State, and declaring an emergency."

Respectfully, submitted,

W. P. HOBBY,

Governor.

#### Senate Bill No. 29.

Senator Gibson sent up the following amendment:

Amend the bill by striking out all of lines 29, 30, 31, 32, page 1, and lines 1, 2, and 3 to the word "provided" and insert in lieu thereof the following: Eleven representative citizens of the State of Texas representing as far as practicable all the different interests of the State.

GIBSON,

WILLIFORD.

The amendment was read and adopted.

Senator Alderdice sent up the following amendment:

Amend the bill by striking out the words "not later than" in line 21, page 1, and insert in lieu thereof the word "by." Also insert in same line after the figures 1920 the words "or as soon thereafter as practicable."

The amendment was read and adopted.

Senator Alderdice sent up the following amendment:

Amend the bill by striking out the word "spirit" in line 28, page 1, and insert in lieu thereof the word "interest."

The amendment was read and adopted.

Senator Alderdice sent up the following amendment:

Amend the bill by striking out the word "representations" in line 4, Sec. 7, page 3 and insert in lieu thereof the word "representatives."

The amendment was read and adopted.

Senator Alderdice sent up the following amendment:

Amend the bill by inserting at beginning of line 11, the words "Sec. 9."

The amendment was read and adopted.

Senator Caldwell sent up the following amendment:

Amend the bill, line 16, page 3, printed bill, by adding the words "and it is so enacted."

The amendment was read and adopted.

The bill on the motion of Senator Alderdice was ordered engrossed.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 29 was put on its third reading and final passage by the following vote:

#### Yeas—26.

Alderdice.	Faust.
Bledsoe.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Woods.

#### Nays—1.

Rector.

Present—Not Voting.

Bailey.

McNealus.

Hall.

Absent.

Witt.

The bill was read the third time and finally passed by the following vote:

#### Years—24.

Alderdice.	Faust.
Bledsoe.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Smith.
Cousins.	Strickland.
Davidson.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dudley.	Woods.

#### Nays—7.

Bailey.	McNealus.
Dorough.	Rector.
Hall.	Suiter.
Hopkins.	

#### Senate Bill No. 14.

The Chair laid before the Senate on the calendar

S. B. No. 14, A bill to be entitled "An Act to amend Chapter 96, Sections 107, 108, 109, 110, 110a, 110b, 114, 116, 117, 118, 119, 121, 122, 123, 124 of Chapter 96 of the acts of the Thirty-second Legislature, and adding sections 110c and 110d, and to amend Section 124a, Chapter 124, Acts of the Twenty-ninth Legislature, these amendments being for the purposes of defining points left indefinite, offering a choice for subjects of examinations, arranging for reasonable reciprocity in certificates, with other states, and emphasizing professional training."

The bill was read the second time.

#### Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 17, A bill to be entitled "An Act to create the 90th Judicial District, etc., and declaring an emergency."

The House has adopted the following resolutions:

S. C. R. No. 1, Inviting Senator Morris Sheppard to address the Legislature.

H. C. R. No. 9, Granting leave of absence to Hon. M. A. Childers, Judge of the 36th Judicial District.

H. C. R. No. 10, Relating to recovery of cannon taken from Capitol grounds.

Respectfully submitted,

NOEL K. BROWN,  
Chief Clerk, House of Representatives.

#### Senate Bill No. 14.

On the motion of Senator Alderdice the bill was ordered engrossed.

On motion of Senator Alderdice the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 14 was put on its third reading and final passage by the following vote:

#### Yeas—30.

Alderdice.	Floyd.
Bailey.	Gibson.
Bledsoe.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

#### Absent.

Williford.

The bill was read third time and finally passed by the following vote:

#### Yeas—27.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

#### Nays—1.

Williford.

#### Absent.

Bledsoe.	Davidson.
Carlock.	

#### Pink Boll Weevil Report.

Senator Alderdice sent up by unanimous consent the Pink Boll Weevil Committee report.

See Appendix.

#### Bills Introduced.

Unanimous consent was granted to send up the following bills:

By Senator Hall:

S. B. No. 65, A bill to be entitled "An Act to aid the city of Freeport, Texas, in raising, strengthening and enlarging existing levees now partially protecting the said city from tropical storms and calamitous overflows and in constructing and maintaining additional levees, breakwaters, bulkheads and other works incident thereto, both within, and without the corporate limits of said city of Freeport by donating and granting to said city of Freeport for a period of twenty years, commencing with the fiscal year beginning Sept. 1, 1920, the State ad valorem taxes collected upon property and from persons, firms or corporations within the defined limits of Brazoria County Road District No. 23 of Brazoria County, Texas, the boundaries of which include the city of Freeport, three-fourths of all monies collected from State occupation taxes received from persons, firms, companies or associations of persons doing business within the limits of the said road district and all State poll taxes collected from persons within the limits of said road district except that belonging to the public school fund; authorizing the city of Freeport to issue bonds for the purpose mentioned; providing a penalty for the misapplication of funds raised therefor; granting the right of eminent domain to said city and authorizing the city commission thereof to acquire for and on behalf of the city by purchase, gift, grant or condemnation, title to any right of way and other property, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Witt:

S. B. No. 66, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 163, Chapter 58, of the Special Laws of Texas, passed at the Second Called Session of the Thirty-sixth Legislature of the State of Texas, and approved July 22, 1919, entitled 'An Act creating the Moody Independent School District in McLennan County, Texas; defining its boundaries, including the present Moody Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof, or trustees continue in office until the expiration of their respective terms, and declaring an emergency,' so that hereafter said Section 1, in defining the metes and bounds of said Moody Independent School District shall read as shown below."

Read, first time and referred to Committee on Educational Affairs.

#### Senate Bill No. 32.

The Chair laid before the Senate on the calendar

S. B. No. 32, A bill to be entitled "An Act increasing the salary of the official court reporter for the Eighteenth Judicial District of Texas to the sum of \$1,800; providing the manner of payment of such salary, and declaring an emergency."

The bill was read and on the motion of Senator Suiter, the bill was laid on the table subject to call.

#### House Concurrent Resolution No. 10. —Referred.

The Chair had read House Concurrent Resolution No. 10 in regard to recovering a cannon taken from the Capitol Grounds, and referred same to Committee on Public Buildings and Grounds.

#### House Bill No. 28.

On the request of Senator Clark, unanimous consent was granted to take up and consider

H. B. No. 28, A bill to be entitled "An Act to amend an act creating the LaGrange Independent School District in Fayette County, Texas, etc."

The Senate rule requiring committee reports to lie on the table one day was suspended by unanimous vote.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 28 was put on its third reading and final passage by the following vote:

Yeas—31.

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

The bill was read the third time and finally passed by the following vote:

Yeas—31.

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

#### Recess.

On the motion of Senator Clark, the Senate stood recess until 2 o'clock this afternoon.

**Afternoon Session.**

The Senate was called to order by Lieutenant Governor Johnson at 2 o'clock p. m., pursuant to recess.

**Senate Bill No. 53.**

The Chair laid before the Senate on the calendar

S. B. No. 53, A bill to be entitled "An Act repealing Sections 1 to 3, both numbers inclusive, of Chapter 137, Special Laws enacted by the Regular Session of the Thirty-sixth Legislature, approved March 28, 1917, the same being an act creating a more efficient road system for Bowie County, Texas, adopting for said county the General Laws of the State in relation to the issuance of bonds, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads, turnpikes, or in aid thereof, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dorough, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 53 was put on its third reading and final passage by the following vote:

**Yeas—31.**

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

The bill was read third time and finally passed by the following vote:

**Yeas—31.**

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.
Bledsoe.	Caldwell.

Carlock.  
Clark.  
Cousins.  
Davidson.  
Dayton.  
Dean.  
Dorough.  
Dudley.  
Faust.  
Floyd.  
Gibson.  
Hall.  
Hertzberg.

Hopkins.  
McNealus.  
Page.  
Parr.  
Rector.  
Smith.  
Strickland.  
Suiter.  
Westbrook.  
Williford.  
Witt.  
Woods.

**Senate Bill No. 55.**

The Chair laid before the Senate on the calendar

S. B. No. 55, A bill to be entitled "An Act to create the Ninety-first Judicial District; fixing its jurisdiction and time of holding courts therein; providing for the appointment by the Governor of a judge for said ninety-first district; providing that the district clerk and county attorney of Eastland County each shall be officers of said ninety-first district court and fixing their compensation for services rendered therein; providing for transfer of cases from and to the ninety-first judicial district court and the eighty-eighth district court from one court to the other requiring notice of such transfer of cases in certain instances to be given; providing that suits shall be alternately filed in said ninety-first judicial district court of Eastland County, and the eighty-eighth judicial district court of Eastland County; providing that no grand jury in said ninety-first district court of Eastland County shall be organized unless it is specially ordered by the judge of said ninety-first district; providing that from and after the first day of January of the year A. D. 1925 said ninety-first judicial district shall cease to exist; declaring that an emergency exists requiring the immediate passage of this Act."

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 55, was put on its third reading and final passage by the following vote:

## Yeas—31.

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

The bill was read the third time and finally passed by the following vote.

## Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Bledsoe.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Davidson.	Rector.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

## Absent.

Buchanan of Bell.	Smith.
Cousins.	Strickland.
Hall.	

## Senate Bill No. 49.

The Chair laid before the Senate on the calendar

S. B. No. 49, A bill to be entitled "An Act amending Article 3866 (2462)-(2398) Revised Statutes of the State of Texas, 1895, relating to compensation for ex-officio services of the sheriffs of the State and declaring an emergency."

The committee report that the bill be printed in the Journal was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was

suspended and Senate Bill No. 49 was put on its third reading and final passage by the following vote:

## Yeas—28.

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Davidson.	Rector.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

## Absent.

Buchanan of Bell.	Smith.
Cousins.	

The bill was read the third time and finally passed by the following vote:

## Yeas—27.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

## Absent.

Buchanan of Bell.	Hall.
Cousins.	Smith.

## Senate Bill No. 33.

The Chair laid before the Senate on the calendar

S. B. No. 33, A bill to be entitled "An Act to amend Chapter 87, General Laws of the Thirty-sixth Legislature, Second Called Session, 1919, entitled 'An Act making appropriations for the State Government for two years beginning September 1, 1919, and ending August 31, 1921, and for other purposes and prescribing certain regulations and restric-

tions in respect thereto; and declaring an emergency,' in so far as said Act relates to the salaries of assistants in the State Reclamation Department; readjusting the salaries of such assistants for the three months ending August 31, 1920, and for the year ending August 31, 1921; abolishing the position of one technical assistant in said department by repeal of the item appropriating the salary therefor; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 33 was put on its third reading and final passage by the following vote:

**Yeas—25.**

Alderdice.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

**Nays—3.**

Bailey.	Suiter.
Hall.	

**Absent.**

Buchanan of Bell.	Cousins.
Clark.	

The bill was read the third time and finally passed by a viva voce vote.

**Bills Signed.**

After their captions had been read, the Chair signed in the presence of the Senate the following:

Senate Bill No. 17, House Concurrent Resolution No. 7, and House Concurrent Resolution No. 5.

**Simple Resolution No. 10.**

Senator McNealus received unanimous consent to send up the following resolution:

Resolved, That James A. Kenny, assistant sergeant-at-arms of the Senate, be paid seven dollars (\$7.00) per day compensation for his services for twelve days in May and one day in June, during which period he performed the duties of both sergeant-at-arms and assistant sergeant-at-arms of the Senate.

McNealus, Bailey, Hall, Smith, Floyd.

The resolution was read.

**Message from the House.**

A messenger from the House presented himself at the bar of the Senate with the following message.

Hall of the House of Representatives,  
Austin, Texas, June 3, 1920.

Lieutenant Governor W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 24, A bill to be entitled "An Act creating the county court at law for Wichita County, Texas, and fixing and defining its duties, powers and jurisdiction and also fixing the salaries of the judge of the county court at law and the salary of the county judge of Wichita County, and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act creating the Taft Common School District No. 12, San Patricio County, Texas, etc."

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 14, Section 2781, Revised Civil Statutes of 1911, relating to the salaries of teachers so as to remove the limitations as to the amount to be paid teachers, and declaring an emergency," with engrossed rider.

H. B. No. 17, A bill to be entitled "An Act to exempt electric light companies from payment of occupation taxes in towns and cities of less than 1200 inhabitants, etc., and declaring an emergency."

Respectfully submitted,

NOEL K. BROWN,  
Chief Clerk, House of Representatives.

**Simple Resolution No. 10.**

Senator Caldwell sent up the following amendment to the resolution:



Resolved, That the Secretary of the Senate shall issue to M. F. Hornbuckle warrant for his full pay from the first day of the session.

Senator Dudley moved to table the amendment. The yeas and nays were demanded and the motion to table failed by the following vote:

## Yeas—11.

Carlock.	Rector.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Gibson.	Woods.
Page.	

## Nays—16.

Alderdice.	Hall.
Bailey.	Hertzberg.
Caldwell.	Hopkins.
Clark.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Faust.	Strickland.
Floyd.	Witt.

## Absent.

Bledsoe.	Buchanan of Scurry.
Buchanan of Bell.	Davidson.

On the motion of Senator McNealus to adopt the amendment, the yeas and nays were demanded.

The amendment passed by the following vote:

## Yeas—15.

Alderdice.	Hall.
Bailey.	Hertzberg.
Caldwell.	Hopkins.
Clark.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Faust.	Strickland.
Floyd.	

## Nays—13.

Bledsoe.	Rector.
Carlock.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Gibson.	Woods.
Page.	

## Absent.

Buchanan of Bell.	Davidson.
Buchanan of Scurry.	

On the motion of Senator McNealus that the resolution be adopted as amending the yeas and nays were demanded.

The resolution failed to pass by the following vote:

## Yeas—11.

Bailey.	Hall.
Caldwell.	McNealus.
Clark.	Parr.
Cousins.	Smith.
Faust.	Strickland.
Floyd.	

## Nays—19.

Alderdice.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Rector.
Carlock.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Gibson.	

## Absent.

Davidson.

## Bills Introduced.

Unanimous consent was granted to send up the following bills:

By Senators Dean, Bledsoe, Page:  
S. B. No. 67, A bill to be entitled "An Act making appropriation to pay the transportation, subsistence and all other expenses of military forces of the State when ordered on State duty, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senators Dayton and Gibson:  
S. B. No. 68, A bill to be entitled "An Act declaring the pink bollworm (*pectinophora gossypiella*) a pest and its eradication and destruction a public necessity, and providing a method by which pests may be eradicated, destroyed and prevented from spreading; authorizing the Commissioner of Agriculture to appoint pink bollworm inspectors to inspect fields of the State, defining their rights and duties and setting forth in detail the method and manner of inspection; defining the duties of the Commissioner of Agriculture, county judges and other State officers with reference thereto; providing for the creation of a Pink Bollworm Commission and defining its duties; prescribing certain duties for the Governor under this Act and authorizing him

to proclaim a quarantine of lands and premises infested by the pink bollworm and authorizing the Governor to proclaim a limited quarantine zone; also an emergency quarantine; designing the purposes of each of such quarantines and authorizing the Governor to order the destruction of cotton and cotton products in infested fields and fully defining the method by which each of the aforesaid quarantines is to be brought about and the method by which cotton and cotton products in infested fields are to be destroyed; defining and setting forth the court proceedings with reference to the same; creating a Board of Appraisers and defining their duties; conferring authority upon county judges and county and district courts with reference to the valuation and damage of property to be destroyed; declaring when and how the Commissioner of Agriculture shall be authorized to destroy property from infested fields; continuing the regulated quarantine zones now in existence under Chapter 41, General Laws of the Regular Session of the Thirty-sixth Legislature; declaring that cotton cannot be grown in regulated quarantine zones established by the Governor except with compliance with this act, and defining a clean up necessary to comply with this act, and conferring certain authority with reference thereto on the Commissioner of Agriculture; conferring authority upon the Commissioner of Agriculture to recommend the prohibiting of the growing of cotton in an infested field, and conferring certain authority upon the Government with reference thereto and providing a method of compensating the owner; defining the terms and conditions upon which cotton and cotton products originating in any regulated quarantine zone may be shipped therefrom and conferring certain authority upon the Commissioner of Agriculture with reference thereto; defining what may be done with cotton and cotton seed grown in a regulated quarantine zone; conferring authority upon the University of Texas, and the Agricultural and Mechanical College of Texas, to institute and continue a system of experiments for the purpose of developing a practical method for the extermination of the pink bollworm and all insect pests which affect agricultural products; creating offenses for the violation of this Act and prescribing a punishment

therefor; making an appropriation for the purposes of this act; defining certain duties for the Governor, Commissioner of Agriculture, county judges of the State and the Attorney General, and conferring certain authority and jurisdiction upon the county and district courts to be exercised in the enforcement of the act; repealing all laws and parts of laws in conflict herewith; providing if the courts declare any provisions, etc., of this act unconstitutional, illegal or inoperating it shall not affect remaining provisions, etc., of this bill, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Witt:

S. B. No. 69. A bill to be entitled "An Act to amend Article 1129, Chapter 2, Title 25 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature of 1911, providing for the exemption of cotton mills from the provisions of Articles 1125 to 1128, inclusive of the Revised Civil Statutes, and providing an emergency."

Read first time and referred to Committee on Commerce and Manufacturing.

#### Senate Concurrent Resolution No. 2.

Senator Parr received unanimous consent to send up Senate Concurrent Resolution No. 2 granting Mr. O. C. Thomas a leave of absence.

The resolution was read and adopted.

#### House Bill No. 20.

On the request of Senator Carlock, unanimous consent was granted to take up and consider out if its order

H. B. No. 20, A bill to be entitled "An Act to amend Chapter 80, Section 5 of the acts of the General Laws of the State of Texas, passed at the Called Session of the Thirty-sixth Legislature of the State of Texas, changing the amount of salary to be paid to the assistant district attorney of Tarrant County, Texas, and providing for the appointment of two additional assistants, and prescribing their qualifications; and salary and declaring an emergency."

The Senate rule requiring committee reports to lie on the table one day was suspended by unanimous vote.

The committee report that the bill be not printed was adopted.

The bill was read the second time.

Senator Carlock sent up the following amendment:

Amend House Bill Number 20 by striking out all of Section 1 and substitute the following:

Section 1. That Section 5 of Chapter 80, Acts of the Thirty-sixth Legislature, 1919, passed at the Second Called Session be amended so as to read as follows:

Section 5. The Criminal District Attorney of Tarrant County, for the purpose of conducting the affairs of such office, shall be and is hereby authorized, by and with the written consent of the County Judge of said County, to appoint such Assistant District Attorneys who shall have all the qualifications of the Criminal District Attorney, as are necessary to perform the duties and affairs of such office, not to exceed six (6) in number, two of whom shall receive a salary not to exceed three thousand (\$3,000.00) dollars each per annum; two of whom shall receive a salary not to exceed Twenty-five hundred (\$2,500.00) dollars each per annum; one of whom shall receive a salary not to exceed Twenty-one hundred (\$2,100.00) dollars per annum; one of whom shall receive a salary not to exceed Fifteen hundred (\$1,500.00) dollars per annum. Said Criminal District Attorney shall also be authorized with the consent of the County Judge of said County, to appoint, not to exceed two (2) assistants who shall not be required to possess the qualifications prescribed by law for Criminal District Attorneys, who shall perform such duties as may be assigned to them by said Criminal District Attorney, and who shall receive as their compensation a salary not to exceed Twenty-one hundred (\$2,100.00) dollars each per annum; all salaries above mentioned shall be payable monthly, and the said salaries to be paid only out of the fees of office collected by said District Attorney, said fees of office to be the same as are now allowed and permitted by law to be paid to the County and District Attorneys of this State. The fixing of the amount of salaries to be paid by said Criminal District Attorney to said assistants shall be fixed and regulated by the Commissioners Court of said County by an

order passed at a Regular Session of said Court and duly spread upon the minutes of said Court; provided that the two (2) assistants to the District Attorney who are not required to have the qualifications of a Criminal District Attorney shall, so far as Tarrant County is concerned, be in lieu of the assistants of like character provided for in any statutes of this State.

The amendment was read and adopted.

The bill was ordered engrossed.

On motion of Senator Carlock, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 20 was put on its third reading and final passage by the following vote:

Yeas—30.

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Davidson.

The bill was read the third time and finally passed.

#### Senate Bill No. 62.

On the request of Senator Dean unanimous consent was granted to take up and consider out of its order

S. B. No. 62, A bill to be entitled "An Act to create a more efficient road system for Walker County by amending Chapter 134 of the Special Laws of the Thirty-third Legislature as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature by amending Section 7 of said Chapter 134 by striking out from said Section 7 the provision requiring that the bonds therein referred to shall not be sold for less than par and accrued interest. By amending Section 19 of said Chapter 134 so as to leave it within the discretion of the Road Board as to the employment

of a skilled highway engineer; by, amending Section 12 of said Chapter 134 so as to leave it within the discretion of the Board as to the making up of complete maps, profiles, and working plans and the filing thereof; by amending Section 48 of said Chapter 6 of the laws of the First Called Session of the Thirty-fourth Legislature, so as to leave it within the discretion of the Commissioners' Court of Walker County as to the appointment of a highway engineer in that portion of said County not included in any independent district; by amending Section 51 of said Chapter 6 by providing that all work done on the public roads in said County shall be done and performed under the direction and supervision of the highway engineer where one is appointed; by repealing Section 11 of said Chapter 134 of the Special Laws of the Thirty-third Legislature and declaring an emergency."

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 62 was put on its second reading by the following vote:

## Yeas—31.

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

The Senate rule requiring committee reports to lie on the table one day was suspended by unanimous vote.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 62 was put on its third reading and final passage by the following vote:

## Yeas—31.

Alderdice.	Bledsoe.
Bailey.	Buchanan of Bell.

Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

The bill was read the third time and finally passed by the following vote:

## Yeas—31.

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

## House Bills Referred.

The Chair had referred, after their captions had been read, the following House bills:

H. B.'s 41 and 4, were referred to the Committee on Educational Affairs.

H. B. 17 was referred to the Committee on Internal Improvements.

## Senate Concurrent Resolution No. 3.

Senator Gibson received unanimous consent to send up Senate Concurrent Resolution No. 3 in regard to the Pink Boll Weevil report.

The resolution was read and referred to the Committee on Agriculture.

## Adjournment.

On the motion of Senator Dean, the Senate stood adjourned until tomorrow morning at 10 o'clock.

**APPENDIX.****Petitions.**

Several petitions were sent up and referred to the Committee on Education by Senators Dayton, Buchanan of Bell, Floyd, Bailey.

Senator Bailey sent up a petition from the citizens of Aransas Pass which was referred to the Committee on Civil Jurisprudence.

Senator Bailey sent up a petition on the Pink Boll Weevil which was referred to the Committee on Agricultural Affairs.

**Engrossing Committee Report.**

Austin, Texas, June 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 10 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, June 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 11 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, June 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 12 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, June 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 13 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, June 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 44

carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, June 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 36 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

**Pink Bollworm Report.**

Hon. R. E. Thomason, Speaker of the House.

Hon. W. A. Johnson, President of the Senate.

Sirs: We, your Committee, appointed under House Concurrent Resolution No. 1 to investigate the Pink Bollworm conditions in Texas, beg leave to make the following report:

We have examined witnesses and made investigations as instructed by said Resolution.

We herewith submit the stenographic report of the evidence in the case, as directed by said Resolution as bearing upon the facts of the case; same being herewith submitted as Exhibit "A".

We find from the evidence contained in Exhibit "A" that the pink bollworm does exist in certain counties in Texas, but in limited numbers, and that it is a serious pest to the cotton industry in those countries where it has increased to great numbers. The testimony shows that in the quarantined zone the area of infestation has been considerably reduced since 1917. That it can be destroyed by establishing noncotton zones is an admitted experiment even by experts. This, with the constitutional limitations that confront us, lead us to recommend the continuance, establishment and maintenance of strictly regulated zones where infestation has developed or may hereafter develop until such time as our experience in handling the pest might determine that extermination of the pest can be accomplished by the establishment and maintenance of noncotton zones covering infested areas and in no other way.

It is our opinion from the evidence contained in said Exhibit "A" that the work done by the Agricultural

Department of Texas in cooperation with the Federal Horticultural Board has lessened the danger and has decreased the area of infestation.

We, therefore, conclude that the proper enforcement of the provisions of the Bill herewith submitted, providing for strictly regulated cotton zones, with proper restrictions, as therein provided, will greatly decrease the infestation, and, we believe that with the proper cooperation on the part of the citizens in the infested area, will possibly finally eradicate the Pink Bollworm.

We recommend, as provided in said Bill, that an appropriation of One Million Dollars to re-imburse the farmers for any cotton destroyed under said Bill be made. We further recommend an adequate appropriation by this Legislature to the Agricultural Department for the purpose of carrying into effect the Bill herewith submitted be made.

We further recommend that the Legislature appropriate \$10,000.00 each to the State University and the A. and M. College for the purpose of carrying on scientific investigations and experiments through their appropriate departments for the purpose of discovering, if possible, some means of successfully combatting the Pink Bollworm pest.

We further desire to express our great appreciation of the action of the Federal Horticultural Board in attending our Committee hearing and giving testimony and assistance in our work of investigation, and recommend that the Legislature pass resolutions thanking said Federal Department for the work already done in the infested district and in the assistance given the Committee, and ask said Department to continue its work in the Bollworm fight in cooperation with our State authorities, to the end that the pest may be finally eradicated.

Respectfully submitted,

On the part of the House:

McDOWRA,  
MILLER,  
HAMILTON  
MOON.

On the part of the Senate:

DAYTON,  
GIBSON,

### Committee Reports.

Committee Room,  
June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads Bridges and Ferries, to whom was referred Senate Bill No. 62, have had said bill under consideration, and report the same back to the Senate with the recommendation that it do pass and be not printed.

WOODS, Chairman.

Committee Room,  
June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred Senate Bill No. 47, having had the same under consideration, beg leave to report it back to the Senate with the recommendation that it do pass.

Respectfully submitted,  
SUITER, Chairman.

Committee Room,  
June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred Senate Bill No. 16, having had the same under consideration, beg leave to report the same back to the Senate with the recommendation that it do not pass, but that the following committee substitute hereto attached do pass.

Respectfully submitted,  
SUITER, Chairman.

Committee Room,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence to whom was referred Senate Bill No. 21, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass with the following committee amendment.

Strike out the words and figures "80" in Section 1 thereof and insert in lieu thereof the words and figures "60" and strike out the words and figures "\$1.00" and insert in lieu thereof the words and figures "80 cents." the same being the minimum and maximum per day for feeding prisoners.

SUITER, Chairman.

Committee Room.

Austin, Texas, June 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred Senate Bill No. 57, have had the same under consideration, and I am directed to report it back to the Senate with the recommendation that it do pass.

DUDLEY, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Bill No. 65, have had the same under consideration, and I am instructed by the said Committee to report same back to the Senate with the recommendation that it do pass and be not printed.

DOROUGH, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Bill No. 63, have had the same under consideration, and I am instructed by the said Committee to report same back to the Senate with the recommendation that it do pass and be not printed.

DOROUGH, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Bill No. 23, have had the same under consideration, and I am instructed by the said Committee to report same back to the Senate with the recommendation that it do pass and be not printed.

DOROUGH, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Bill No. 20, have had the same under consideration, and I am instructed by the said Committee to report same back to the Senate with

the recommendation that it do pass and be not printed.

DOROUGH, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred Senate Bill No. 3, have had the same under consideration, and beg leave to report same back to the Senate, with the recommendation that it be passed.

WESTBROOK, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House Bill No. 6, have had the same under consideration, and beg leave to report same back to the Senate, with the recommendation that it be passed.

WESTBROOK, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 52, have had the same under consideration, and I am directed by said Committee to report said bill back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 16, have had the same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 51, have had the same under consideration, and I am directed by said committee to report said bill back to the Senate, with the recommendation that it do pass.

DEAN, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred Senate Bill No. 61, have had the same under consideration, and I am directed by said committee to report said bill back to the Senate, with the recommendation that it do pass.

DEAN, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education to whom was referred House Bill No. 10, have had the same under consideration, and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 15, have had the same under consideration, and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 22, have had the same under consideration, and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 19, have had the same under consideration, and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 74 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 34 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 83 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 28 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

## Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 45 have had the same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.



Committee Room,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 30 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 59 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 27 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 18 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 26 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, June 3, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Counties and County Boundaries to whom was referred

S. B. No. 28, A bill to be entitled "An Act to amend Article 1460, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, as amended by Thirty-fourth Legislature, page 203, and amended by the Thirty-fifth Legislature, Civil Statutes of 1911, providing for the appointment and compensation of county auditors in counties having a population of forty thousand inhabitants, according to the last United States census, or having a tax valuation of fifteen million dollars according to the last approved tax roll and also providing for appointment of assistants, and declaring an emergency,"

Have had said bill under consideration and I am instructed by the committee to report said bill favorably with the recommendation that it do pass and be not printed, but printed in the Journal.

PARR, Chairman.

By Senators Witt and S. B. No. 28.  
Bledsoe.

A Bill  
to be entitled

An Act to amend Article 1460, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, and amended by the Thirty-fourth Legislature, page 203, and amended by the Thirty-fifth Legislature, page 337, also to amend Article 1464 and Article 1465, Revised Civil Statutes of 1911, providing for the appointment and compensation of county auditors in counties having a population of forty thousand inhabitants according to the last United States census, or having a tax valuation of fifteen million dollars according to the last approved tax rolls, and also providing for appointment of assistants and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1460, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, and amended by the Thirty-fourth Legislature, page 203, and amended by the Thirty-fifth Legislature page 337, be so

amended as to hereafter read as follows:

Article 1460. In any county of this State having a population of forty thousand inhabitants or over, according to the last United States census or having a tax valuation of fifteen million dollars or over, according to the last approved tax rolls, there shall be appointed an auditor of accounts and finances, the title of said office to be county auditor, who shall hold his office for two years and until his successor is appointed and qualified, and who shall receive an annual salary of one hundred twenty-five (\$125.00) dollars for each million dollars, or major portion thereof, of the assessed tax valuation; such annual salary shall not exceed five thousand (\$5,000.00) dollars, and shall be paid monthly out of the general fund of the county upon an order of the commissioners court.

Sec. 2. That Article 1464, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, be and the same is hereby amended so as to hereafter read as follows:

Article 1464. The county auditor may at any time, appoint an assistant to act in his stead, and who may discharge the duties of the county auditor during his absence or unavoidable detention, said assistant shall be required to take the usual oath of office for faithful performance of duty, and shall receive an annual salary of one hundred (\$100.00) dollars for each million dollars, or major portion thereof, of the assessed tax valuation. Such annual salary shall not exceed three thousand (\$3,000.00) dollars, and shall be paid monthly out of the general fund of the county upon an order of the commissioners court.

Sec. 3. That Article 1465, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, be and the same is hereby amended so as to hereafter read as follows:

Article 1465. The county auditor shall also have the power to appoint such additional assistants as in his opinion may be necessary for the efficient performance of the duties of his office the salaries to be paid such additional assistants shall be left to the discretion of the county auditor, but shall not exceed two thousand, four hundred (\$2,400.00) dollars per annum, and shall be paid monthly out of the general fund for the

county upon an order of the commissioners court.

Sec. 4. That all laws and parts of laws in conflict with the provisions of this act shall be and the same are hereby repealed.

Sec. 5. The fact that there is no law in this State authorizing an increase in salary of county auditors and their assistants, and in view of the fact that the county auditors and their assistants are now forced to work for insufficient wages because of the increased cost of living, and the importance of this legislation creates an emergency and an imperative public necessity and that the rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

#### Enrolled Bill.

Committee Room.

Austin, Texas, June 3, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We your Committee on Enrolled Bills to whom was referred Senate Bill No. 17, copy of which is hereto attached, have carefully compared same and find it correctly enrolled and have this day, at 2.35 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

S. B. No. 17.

An Act to create the 90th judicial district; fixing its jurisdiction and the time of holding courts therein; providing for the appointment by the Governor of a judge for the 90th judicial district; providing that the district clerk of Stephens County shall be an officer of said 90th judicial district, fixing his compensation for services rendered therein, and providing for the filling of vacancies in the office of district clerk in said county; and providing further for the transfer of cases from and to the forty-second judicial district court and the 90th judicial district court, from one court to the other, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. Stephens County shall

constitute the 90th judicial district of Texas, and the jurisdiction of said district court shall be co-extensive with the limits of said county over all cases, civil and criminal, proceedings and matters of which district courts of this State are given jurisdiction by the Constitution and laws of this State. The terms of said district court shall be held as follows:

Beginning on the first Monday in January, March, May, July, September and November of each year, and may continue in session for eight weeks.

Sec. 2. The Governor shall appoint a suitable person as judge of the 90th judicial district court as herein constituted who shall hold such office until the next general election and until his successor shall have been elected and qualified. The judges of said court shall thereafter be elected as provided by the constitution and laws of the State for the election of district judges.

Sec. 3. The district clerk of Stephens County shall be the clerk of the district court of said 90th judicial district sitting in Stephens County, and shall receive such compensation for his service as is provided by law for district clerks; and in the event of a vacancy in the office of the district clerk of said Stephens County, the judge of the 90th judicial district shall appoint a suitable person to fill such vacancy.

Sec. 4. After the taking effect of this Act, the Judge of the District Court of the Forty-second Judicial District shall by order entered upon the minutes of said court transfer to the District Court of the said 90th Judicial District such civil cases then pending upon the docket of the said District Court of the Forty-Second Judicial District as shall, within his discretion, equalize the business on the dockets of the said two district courts, taking into consideration the length of terms and the number of terms of said courts, respectively; provided, that no cases then on trial in the said forty-second Judicial District Court, nor any case on appeal, shall be so transferred; and when said order has been made and entered, the clerk of the district court of Stephens County shall make up a docket for the use of said court of the said Ninetieth Judicial District, by placing thereon

such cases as have been so transferred shall bear the same docket numbers as in the court from which they were so transferred.

Sec. 5. The clerk shall place upon the docket and upon the court papers opposite the number of each case remaining on the docket of the Forty-second Judicial District Court the letter "A", and shall place upon the docket and upon the court papers opposite the number on each case transferred to the docket of the Ninetieth Judicial District Court the letter "B". And this requirement shall also be observed as to all new cases filed in either of said courts, so that the letter "A" opposite the file number shall indicate that the case pends in the Forty-second Judicial District Court; and that the letter "B" opposite the file number shall indicate that the case pends in the Ninetieth Judicial District Court.

Section 6. The District Court of the Forty-second Judicial District and the District Court of the Ninetieth Judicial District in the County of Stephens, shall have concurrent jurisdiction with each other of all matters, civil and criminal, of which jurisdiction is given to the District Court by the constitution and laws of the State of Texas. Either the judge of the Forty-second Judicial District, or the judge of the Ninetieth Judicial District of Stephens County, may, at his discretion, either in term time or vacation, transfer any case or cases, civil or criminal, that may be at the time pending in his court, to the other district court in said county of Stephens, by order or orders entered upon the minutes of the court making such transfer, and, where such transfer or transfers are made, the clerk shall enter such case or cases upon the dockets of the court to which such transfer or transfers are made, and when so entered upon the docket, the Judge of said court shall try and dispose of such cases in the same manner as if such cases were originally filed in said court, and in case of the disqualification of the judge of either of said courts in any case, such case, on the suggestion of such judge of his disqualification entered on the docket, shall stand transferred to the other of said courts, and be docketed by the clerk accordingly.

Sec. 7. That all process, writs and bonds issued or executed prior to the taking effect of this act and

returnable to the terms of the Forty-second Judicial District Court as now fixed by law in the county of Stephens, are hereby made returnable to the terms of the district court of the newly created Ninetieth Judicial District of Texas, as in all cases transferred to said court; and all process heretofore returned, as well as bonds and recognizances heretofore entered into in said Forty-second Judicial District Court, shall be as valid as if transfer had not been made to the court of the Ninetieth Judicial District.

Sec. 8. That the judge of the district court of the said Ninetieth Judicial District may, in his discretion, have a grand jury drawn for and organized at any term of his court, but all bills of indictment returned by said grand jury shall be returnable to the district court of the forty-second Judicial District in said Stephens County.

Sec. 9. That all laws and parts of laws in conflict with this act are hereby repealed.

Sec. 10. The crowded condition of the docket of the District Court of Stephens County creates an imperative public necessity and an emergency demanding the suspension of the constitutional rule requiring bills to be read on three several days, and that this Act take effect and be in force from and after its passage; and it is so enacted.

### THIRTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, June 4, 1920.

The Senate met at 10 o'clock, pursuant to adjournment, and was called to order by Lieutenant Governor Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Dorough.
Bailey.	Dudley.
Bledsoe.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.
Carlock.	Hertzberg.
Clark.	Hopkins.
Cousins.	McNealus.
Davidson.	Page.
Dayton.	Parr.
Dean.	Rector.

Smith.  
Strickland.  
Suiter.  
Westbrook.

Williford.  
Witt.  
Woods.

Prayer by Rev. Sterling Fisher.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dorough.

### Petitions and Memorials.

See Appendix.

### Committee Reports.

See Appendix.

### Message from the House.

A messenger from the House appeared at the bar of the Senate with the following message:

Hall of the House of Representatives,  
Austin, Texas, June 4, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 44, A bill to be entitled "An Act to amend Chapter 8, Acts of the Fourth Called Session of the Thirty-fifth Legislature, entitled 'An Act amending Chapter 80, Acts of the Thirty-sixth Legislature, creating the Burkeville Independent School District in Newton County, Texas, etc.'"

H. B. No. 52, A bill to be entitled "An Act creating Clarkson Common School District No. 70 of Milam County, Texas, etc., and declaring an emergency."

H. B. No. 51, A bill to be entitled "An Act creating the Nome Independent School District in Jefferson County, Texas, etc., and declaring an emergency."

H. B. No. 106, A bill to be entitled "An Act increasing the salary of the official court reporter of the Sixty-third Judicial District of Texas, etc., and declaring an emergency."

Respectfully submitted,

NOEL K. BROWN,  
Chief Clerk House of Representatives.